

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:24-CV-1101-M

MUAMMER SALEH, et al.,

Plaintiffs,

v.

CHRISTOPHER THOMAS, *officially, as
the Sheriff of Onslow County, and in his
individual capacity*, et al.,

Defendants.

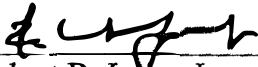
ORDER

This matter is before the court on the parties' joint motion to stay the requirements to hold a discovery conference and submit a Rule 26(f) report. [DE-21]. The court issued an order on April 11, 2025 that established a May 11, 2025 deadline for the discovery conference and mandated that the parties submit their Rule 26(f) report and serve their initial disclosures within fourteen days of the conference. [DE-18].

Rule 16 provides that "a magistrate judge . . . must issue a scheduling order after receiving the parties' report under Rule 26(f) . . . as soon as practicable, but unless the judge finds good cause for delay, the judge must issue it within the earlier of 90 days after any defendant has been served with the complaint or 60 days after any defendant has appeared." Fed. R. Civ. P. 16(b)(1)(A), (b)(2). In the instant motion, the parties argue that good cause exists to stay the Rule 16(b) requirements to submit a Rule 26(f) report because "Plaintiffs intend to amend their Complaint (D.E. 1), which will require Defendants to amend their Answer or otherwise respond to the proposed amended complaint." [DE-21] at 2. Given that "[s]taying the Rule 26(f) conference pending filing of the proposed amended complaint will allow the Parties to tailor their Rule 26(f)

discussions regarding the scope of discovery to the claims alleged in the proposed amended complaint,” *id.*, the court in its discretion finds that good cause for the requested stay exists. Accordingly, the motion is allowed, and the time for the parties to complete the Rule 26(f) conference is extended sixty days from the filing of Plaintiffs' proposed amended complaint.

So ordered, the 15 day of May, 2025.



Robert B. Jones, Jr.
United States Magistrate Judge